



Case Report

1	Case Number	0141/12
2	Advertiser	Big Night Recovery
3	Product	Health Products
4	Type of Advertisement / media	Outdoor
5	Date of Determination	11/04/2012
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

An image of a man under the influence of alcohol, enjoying a night out with friends. The caption reads, "In 5 hours time he'll be pulling levers on a 20 tonne crane".

An image of a man under the influence of alcohol, enjoying a night out with friends. The caption reads, "In 4 hours time he'll be using a nail gun on a worksite"

An image of two men under the influence of alcohol, enjoying a night out with friends. The caption reads, "In 5 hours they'll be trading shares on behalf of your Super Fund."

An image of a man under the influence of alcohol, enjoying a night out with friends. The caption reads, "In 5 hours he'll be clearing flight 87 for take off."

At the bottom right hand corner it says, "Thank God for...bignightrecovery.com.au" and there is an image of a bottle of Big Night Recovery tablets.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

My concern is the implication in the advertisement that after a night of very heavy drinking if you take these tablets you can safely execute these tasks a few hours later.

I initially thought it was a joke and part of the comedy festival but the website suggests they are selling a product.

This ad is encouraging a culture of binge drinking where it is apparently okay to get extremely drunk and to get less than 5 hours sleep before working heavy machinery. The ad is suggesting that harmful and unsafe behaviour is okay as long as you use their product

when in reality being that irresponsible is mere stupidity. We have an awful drinking culture in Australia and ads like this aren't going to help.

I think it's disgusting as it not only makes fun of drinking excessively it also encourages people to go to work the next day still intoxicated and perform dangerous jobs.

I guess my main concern is many people will find it funny and think there is no risk associated with driving and working merely hours after excessive drinking.

This campaign concerns me as it is promoting irresponsible behaviour particularly in workplace situations where there is OH&S responsibility for others.

The ad implies that excessive drinking can be cured by a simple energy drink. It also implies that the operation of heavy machinery or completion of dangerous procedures is a safe and acceptable practice when still alcohol affected.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

We would like to start by saying that we sincerely apologise to the complainants. At no time during the creative process did we envision that some would see the ad campaign so negatively.

The market for effervescent tablets focuses on vomiting, diarrhoea, health and vitality. These brands skirt around the edges of relief for hangovers. We see an opportunity to provide an Australian Made effervescent tablet, free of sugar, aspartame, phenylalanine, any type of stimulant and one that actually tastes good.

The brief for the ad campaign focused on the economic impact and the staggering amount of money that is lost due to hangovers in the workplace. This figure is in the billions of dollars each year. This was the catalyst for the "Thank God For" advertisements. The extraordinary amount of employees turning up to work hung-over, or not turning up at all, led the creative team down the hangovers in the workplace path.

We see these ads as humorous and thought everyone else would see them that way. In all honesty the ads are having a poke at the people who turn up to work hungover, or not at all, that costs the economy billions of dollars every year.

If you have to front up to work feeling less than ideal, there is now a product that can provide some relief from a hangover, bout of sickness or sheer lethargy without all the sugar and stimulants found in most products targeted at this market.

The message through the advertising is to think that next drink 'Own The Next Day'. Whether it be peer group pressure or just getting caught up in the moment people will sometimes step over the line and have one or two too many and suffer the consequences the next day.

Relief for this affliction is almost always centred on rehydration (replacing the fluid and electrolytes lost due to the consumption of alcohol). Big Night Recovery is sugar free, contains no stimulants and helps to relieve the symptoms of a hangover.

We were very particular about the images we used in the ad campaign. Each image shows a person(s) in varying states of inebriation. They do not show people consuming alcohol, being aggressive or violent. There is nothing glamorous about these images. In fact, they look quite foolish. Who really wants to look like this?

The images used in the advertisements are real people. These are their own images they provided to us free of charge. As suggested, we certainly did not want to make drinking look appealing or to encourage the over consumption of alcohol. Do any of these images look appealing?

Is the person in the ad going to be actually performing the duties described in the ad? Absolutely not! It is the thought that they might be. The message is certainly not to encourage alcohol consumption, in fact the opposite. The sheer thought of this person performing any type of manual labour is disturbing.

Think that next drink. What impact will your drinking have on yourself and others the next day?

If you step over the line and have a few too many then you are going to feel a heck of a lot better if you use Big Night Recovery, as it will assist in the relief of a hangover.

Big Night Recovery is sugar free, contains no stimulants and works wonderfully well at replacing the fluid and electrolytes lost due to the consumption of alcohol. Big Night Recovery is Australian Made and is listed with the Therapeutic Goods Administration.

How other people see the ad campaign

Alternate perception to the advertising campaign.

Daniel, Melbourne – “Those Big Night Recovery ads make me want to stop drinking, not use your product”.

William, Melbourne “How can I get an original print of one of your ads? When I see it on the way to work it makes me smile”.

Rear Window – Australian Financial Review.

Rear Window isn't sure whether to tip its hat or drop its jaw to an ad campaign for pick-me up pill purveyor Big Night Recovery.

No doubt chasing some of Berocca's market share, the print ads at bus stops and on billboards depict two inebriated young men in tuxedos with the headline “in five hours they'll be trading shares on behalf of your super fund”.

Do the two blokes work for the Future Fund? Despite their state they'd probably make a better fist of the chairmanship appointment than the stone cold-sober Finance Minister.

We frankly doubt they're fundies it's more likely they're investment bankers. And by the looks of those glassy eyes they're about five minutes away from calling Street Talk and leaking their latest deal.

The competition

The competition on the Big Night Recovery website the opportunity for people to send in a photo of a Big Night out and add a funny caption.

The competition entries are heavily monitored and filtered. The prize for the three best creative entries each wins a bicycle. We are not providing a boot full of alcohol or a night out on the grog.

In closing

Once again, sincerest apologies to those who have been offended by the Big Night Recovery ad campaign. It certainly was not designed to offend.

The ads have been removed.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainants' concerns that the advertisement suggests that taking a pill makes it okay to drink excess quantities of alcohol and then go to work.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted that the advertisements depict people under the influence of alcohol and the accompanying text describes the work related tasks they will be undertaking in a matter of hours along with the statement, "Thank God for Big Night Recovery".

The Board noted that there is significant effort made in the community to educate people about the dangers of consuming excess alcohol and the time it takes for alcohol to leave your system. The Board considered that the most likely interpretation of these advertisements is contrary to these efforts in that it suggests that taking an effervescent vitamin pill will negate the effects of alcohol therefore you can consume as much as you want prior to working.

The Board considered that the advertisement is irresponsible in its marketing message and by suggesting that it is appropriate to take a pill to counter the effects of excessive alcohol consumption prior to undertaking work for which the presence of alcohol would be dangerous is a depiction contrary to prevailing community standards on the safe use of alcohol.

Based on the above, the Board determined that the advertisement depicted material contrary to prevailing community standards on health and safety and breached Section 2.6 of the Code.

Finding that the advertisement breached Section 2.6 of the Code, the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

Thank you for your letter. We have taken steps to discontinue the advertisement. We apologise to all complainants and stress that it was not our intention to offend. We do not intend to use the advertisements in this current form in the future.

